

SUMMARY SHEET
Airworthiness Directive Implementation Aviation Rulemaking Committee
AD Implementation Working Group

Primary Report and Recommendation	Implementation AD Compliance Review Team (Task 2), Recommendation No. 9: (T2, R9, 1 st recommendation)
Secondary Report and Recommendation	None.
Assigned Members	Rick Hardmeyer (American Airlines; POC) AI Boring (Alaska Airlines) Greg DiLibero (FAA) Bill Heliker (FAA) Paul Sesny (Boeing Corporation) Herman Bijl (Bombardier Aerospace)
Links to Other Working Groups	
Date to Sent to ARC	December 7, 2010
Date of ARC Approval	February 16, 2011

WORKING GROUP REVIEW OF ISSUE/PROBLEM

The CRT Task 2, Recommendation 9 consists of two separate recommendations; 1) approving all AMOCs as global and posting these on a website so they are easily accessible to all air carriers and 2) clarify the role of the ACO and the PI (PMI OR PAI) in AMOC approval and implementation.

This summary sheet addresses the 1st. There was a strong consensus within the work group that it is impracticable to approve all AMOCs as global.

The work group requests ARC approve the response that all AMOCs cannot and should not be global. The work group considered many options in developing recommendations. There are legal issues associated with sharing of proprietary data among and between FAA, original equipment manufacturer (OEM/DAHs), air carriers and other requestors for AMOCs. Ultimately, the recommendations include a shared implementation approach where the FAA, OEM/DAHs and air carriers have responsibility in expanding the use of global AMOCs. When OEM/DAH is used in this document, it is intended to refer to manufacturers of transport airplanes and the engines installed therein. It is assumed that some small business OEM/DAHs might not have the same capabilities as larger businesses (see assumptions and constraints).

Order 8110.103 defines a global AMOC and the AMOC approval process. A global AMOC applies to two or more air carriers and is used to obtain approval for multiple serial numbers or makes and models as specified in the AD. The AMOC approval process, whether for a single aircraft or for a fleet, allows anybody to request an approval from the FAA. Once compliance has been shown, the FAA issues the approval. In practice, the vast majority of AMOCs are approved by OEM/DAH delegated organizations or personnel within the OEM/DAHs. Of the AMOCs submitted directly to the FAA, a significant majority come from the OEM/DAHs for items they are not delegated but are reviewed by delegated personnel with a recommendation for approval. The balance of requests typically comes directly from air carriers or aircraft owners.

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In reviewing the requests, the FAA determines if the AMOC addresses the unsafe condition and demonstrates compliance to the applicable regulations. Often times, this demonstration includes design data, analysis and validated inspection methods which may be considered proprietary information by the requestor. Global AMOC requests must account for the fact that there may be many different configurations. Every global AMOC proposal must be compatible with every aircraft covered under the AMOC. Because in most cases the OEM/DAHs have the design data for each individual configuration, they are in a unique position to determine the need for and often request global AMOCs. In fact, the vast majority of global AMOCs are issued to the OEM/DAHs. As both the requestor and holder of the global AMOC, the OEM/DAH is best suited to making this information available to its customers and has an incentive to do so.

If several different air carriers submitted similar requests for AMOCs directly to the FAA with the necessary substantiating data, the FAA will issue an AMOC to each of those air carriers individually. But to make a determination of whether a global AMOC can be issued for that same issue, the FAA would need to know if there are other configurations of that design in the field. The FAA does not have this data on hand and does not have the resources to obtain and interpret the data. The FAA typically relies on the OEM/DAH to conduct this analysis and then makes a determination based on the OEM/DAHs request and the data presented. If an air carrier or other party requests the global AMOC, it would be incumbent on the requestor to demonstrate applicability for the entire fleet. If this has not been demonstrated, the FAA does not have the resources to make this finding.

REGULATIONS AND GUIDANCE IDENTIFIED FOR REVIEW

1. 14 CFR 39.21
2. Order 8040
3. AD Manual IR-M-8040.1B
4. Order 8110.37 (DER Handbook)
5. Order 8110.103 (AMOC)
6. Order 8100.15 (ODA Order)
7. Order 8900.1 (Airworthiness Inspectors Handbook)
8. DER Seminars
9. AC 39-7c (AD)

WORKING GROUP PROPOSAL TO ADDRESS THE RECOMMENDATION(S)/FINDING(S)

- OEM/DAHs develop a formal process to evaluate all future AMOC requests to see if they can be issued as global. OEM/DAHs to develop a process for requesting global AMOCs for existing ADs that are projected to have AMOC activity in the future.
- In new AD Management AC 39-XX, recommend air carriers include language in their AMOC request letters to the FAA that permits the FAA to share the subject of the AMOC request with the OEM/DAH or use as the basis for a global AMOC, if applicable.
- In new AD Management AC 39-XX, recommend air carriers include language in their AMOC request letters to the OEM/DAHs that permits the OEM/DAHs to use air carrier fleet AMOC requests as the basis for requesting a global AMOC.

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- Revise Order 8110.103 to require the FAA AMOC approving office to provide the OEM/DAH a list of the AMOCs issued to air carriers who have permitted sharing of information. The OEM/DAHs will use this information for evaluation as candidates for global AMOCs
- OEM/DAHs establish a process to post new global AMOCs on their websites. ATA/RAA/ARSA may place links to the postings on their websites for easy air carrier access.
- OEM/DAHs establish a Web posting of all global AMOCs, including a listing of those issued by S/B revision. All AMOCs should be sorted by AD number and searchable by AD, SB, fleet type, etc. OEM/DAHs should provide a notification method to air carriers such as auto notification via subscription from their website, periodic (quarterly) notification reports (per All Operator Message/Letter, or other means) of new global AMOCs.

ALTERNATIVES CONSIDERED

- The FAA has a SharePoint site to internally share transport airplane AMOCs between Aircraft Certification and Flight Standards Service personnel. The site includes ecopies of the approval letter, the request letter and the PI notification. The work group considered using this site to make global AMOCs available to industry and possibly post these on the Federal Document Management System (FDMS). After much discussion and debate within the work group, this was not deemed as viable for several reasons. The request letters and actual methods of compliance are proprietary data which the FAA cannot release without permission from the requestor. In general, the approval letters do not contain the actual methods of compliance and by themselves may be of minimal value to air carriers or repair facilities. Most ADs contain the following text regarding AMOCs: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO (FAA approving office). For the FAA to release an approval letter in a public forum, the FAA would have to complete an evaluation to determine if the letter is releasable under FOIA and redact any information that is not releasable. In light of other alternatives, this was not considered the best use of FAA resources. The FAA has an ongoing internal activity to make the SharePoint site a more comprehensive searchable database to track, monitor and retrieve AMOCs. The FAA is evaluating the feasibility of creating a listing of global AMOCs that could be posted to RGL or FDMS. Notwithstanding, since the vast majority of global AMOC approval letters are issued to the OEM/DAHs and many OEM/DAHs already make this information available to their air carriers, the work group found OEM/DAH postings to be the most effective and efficient means of transmitting this information to users. Similarly, global AMOC letters that approve later revisions of service information are the exception where the letters themselves contain useful information. However, since the FAA adopted and is expanding the use of AD friendly service bulletins, the service information includes words indicating that it is approved as an AMOC, reducing the value of the FAA posting these types of approvals publicly. The work group concluded that since all OEM/DAHs already have websites to share information, and they receive the majority of global AMOCs and have an incentive to make this available to their customer and maintain it, the OEM/DAHs are best positioned to make this information available. It also provides a single location for air carriers to obtain all service information. For repair stations that don't have access to the air carriers websites, they can obtain this

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information through their customers or make the business decision to subscribe the OEM/DAH websites.

- OEM/DAHs posting new AMOCs with limited effectivity online for informational purposes; It would have to be clear that these postings are not global AMOCs but informational. Each posting would require air carrier permission to be posted. Many serial number specific AMOC requests from air carriers contain proprietary inspection or repair methods that they may not be willing to share. Only limited incentive for air carriers to agree to have serial number specific AMOC approvals posted for others information. There would be legal hurdles associated with the OEM/DAH posting air carrier proprietary approvals for public access.
- How do U.S. carriers and the FAA get access to AMOCs (deviations) approved by foreign authorities such that they can account for them – This was a comment was received from another working group. For aircraft where the US is the state of design, the FAA has no visibility of AMOCs issued by other authorities. However, many times foreign air carriers of US designed aircraft will request an AMOC through the OEM/DAH or the FAA and use this approval as a basis for obtaining a foreign AMOC. In these cases, these AMOCs would be considered by the global AMOC evaluation process defined by this Summary Sheet. For the cases where the aircraft state of design is a country other than the USA, and is operated within the US, a US AMOC would be required. For foreign manufactured aircraft operated in foreign countries, the FAA would have no way of knowing if AMOCs were issued by foreign authorities unless US air carriers use the foreign AMOC as a justification for a US AMOC. In this case, the OEM/DAH would be the most likely to know of the existence of the foreign AMOC which is another justification for the OEM/DAHs to post this data.

IMPLEMENTATION PLAN

- FAA Policy Memo to document OEM/DAH best practice of implementing a formal process to review all AMOC requests as candidates for issuance as global AMOCs when applicable. The criteria for the formal process review of AMOC requests should include the following: Review each AMOC request as a candidate for global, including requests for the same AMOC from two different air carriers, and review AMOCs issued by ACO for possible global AMOC candidates. FAA Policy Memo to also document OEM/DAH best practice of posting global AMOCs on their respective websites, and provide periodic notifications of their release. This memo will include the type of information to be posted. Policy memo was drafted in November 2010. Policy memo should be released by February 28, 2011. OEM/DAHs implement process by end of June 2011.
- FAA includes in new AD Management AC 39-XX a section recommending air carriers include statement permitting the FAA to share the subject of the request with the OEM/DAH or to use the information to issue a global AMOC. AIWG draft language for AC 39-XX completed in November 2010. New AD management AC published by FAA no later than end of June 2011.
- In new AD Management AC 39-XX, recommend air carriers include language in their AMOC request letters to the OEM/DAHs that permits the OEM/DAHs to use air carrier fleet AMOC requests as the basis for requesting a global AMOC. AIWG draft language for AC

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39-XX completed in November 2010. New AD management AC published by FAA no later than end of June 2011.

- FAA Policy Memo to document ATA, RAA and ARSA best practices of posting links to OEM/DAH sites. Policy memo will be drafted by December 13, 2010. Policy memo should be released by February 28, 2011 ATA, RAA and ARSA implement process by end of June 2011.
- FAA revises Order 8110.103 to create a new paragraph 4-3 f. Sharing AMOC, Requests with OEM/DAHs. This paragraph will require the FAA AMOC approving office to provide the OEM/DAH a list of the AMOCs requests that have included permission to be shared. The OEM/DAH's global AMOC database will allow air carriers to search previously approved AMOCs that may apply to their aircraft. In order to assist OEM/DAHs in identifying AMOCs that might be candidates for a global AMOC, air carriers may include a statement in the AMOC request letter that permits the approving ACO or directorate office to share the subject of the AMOC with the OEM/DAHs. The approving office shall periodically share with the OEM/DAH the subject of all AMOC requests that include the following permission statement; "Air carrier XYZ grants the FAA approving office permission to share the subject of this AMOC request with the DAH for the article or product for their consideration in asking the FAA to issue a global AMOC for on this subject."

ASSUMPTIONS/CONSTRAINTS

- Assumption - OEM/DAH will be diligent in creating and updating their global AMOC website and periodic updates.
- Assumption - Air carriers and CHDOs understand the difference between global AMOCs and S/N specific AMOCs
- Air Carrier's organizational constraints - some air carriers don't have the engineering organization set up to support AMOC process.
- Constraint – Some OEM/DAHs and air carriers may believe that since AMOCs are issued by the FAA the FAA should be responsible for posting them.
- Some small business OEM/DAHs might not have the same capabilities as larger businesses (see assumptions and constraints).

ISSUES FOR WORKING GROUP CONSIDERATION

Plan is for evaluating and posting future AMOCs requests. It is recommended OEM/DAHs consider reviewing some released ADs and associated AMOCs and consider posting old global AMOCs or issuing new global AMOCs when practicable.

ISSUES FOR ARC CONSIDERATION

It is impracticable to approve all AMOCs as global. Most AMOC requests are to address unique configuration issues or situations for specific serial number aircraft that would not be applicable to other aircraft. The Working Group requests ARC approve the response that while all AMOC requests cannot be global. All requests that have general applicability should be reviewed to determine whether a global AMOC can be issued.

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FINDING No. 9

The Work group noted that air carriers and CHDOs often are not aware of applicable global AMOCs that the FAA has approved.

RECOMMENDATION No. 9

The FAA and industry should develop a process to approve all AMOCs as global unless the requesting air carrier specifically states that it does not want the AMOC shared. The global AMOCs would be posted on OEM Web sites accessible to all air carriers in a way that protects the intellectual property rights of the OEMs and the air carriers where appropriate. The industry and the FAA also should ensure that CHDOs do not require air carriers to gain their approval to implement a global AMOC.

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APPENDIXES

None